

IC 22-13-2.5

Chapter 2.5. Commission Rulemaking Procedures

IC 22-13-2.5-1

Applicability of chapter; adoption of rules

Sec. 1. (a) This chapter applies to a proposed rule that is the subject of a notice of intent to adopt a rule published in the Indiana Register after June 30, 1997, by the fire prevention and building safety commission established by IC 22-12-2-1.

(b) Except as provided in section 3 of this chapter and IC 22-13-2-8, the commission may not adopt a rule except in accordance with:

- (1) this chapter; and
- (2) IC 4-22-2.

As added by P.L.167-1997, SEC.4.

IC 22-13-2.5-2

Public hearings

Sec. 2. (a) Except as provided in section 3 of this chapter, the commission may not adopt a rule under this chapter until the commission has conducted two (2) public hearings in accordance with IC 4-22-2-26.

(b) The first public hearing required under subsection (a) shall be conducted not less than seventy-five (75) days after the date of the first publication of the proposed rule in the Indiana Register.

(c) The second public hearing required under subsection (a) shall be conducted not less than forty-five (45) days after the first hearing required under subsection (a).

As added by P.L.167-1997, SEC.4. Amended by P.L.253-1997(ss), SEC.21.

IC 22-13-2.5-3

Public hearings; exemptions

Sec. 3. The commission is not required to comply with section 2 of this chapter if a proposed rule constitutes:

- (1) the adoption or incorporation by reference of a federal statute, regulation, or rule that:
 - (A) is or will be applicable to Indiana; and
 - (B) contains no amendments that have a substantive effect on the scope or intended application of the federal statute, regulation, or rule;
- (2) a technical amendment or revision that makes no substantive change in an existing rule;
- (3) a substantive amendment to an existing rule that has the primary and intended purpose of clarifying the existing rule; or
- (4) an emergency rule adopted under IC 22-13-2-8(c).

As added by P.L.167-1997, SEC.4. Amended by P.L.141-2003, SEC.11.